

**MINUTES
CITY OF GUNNISON
ZONING BOARD OF ADJUSTMENTS AND APPEALS
REGULAR MEETING
AUGUST 20, 2003**

MEMBERS	PRESENT/ABSENT
JUDY KLINKER, VICE CHAIRPERSON	X
CARL PICKETT	X
MARIAN HICKS	X
WES BAILEY	X
MARLA LARSON	X

OTHERS PRESENT: COMMUNITY DEVELOPMENT DIRECTOR COLLEEN HANNON, CITY CLERK GAIL DAVIDSON, PLANNING TECHNICIAN KYLE STAWOWY, MATTHEW MALICK.

I CALL TO ORDER BY CHAIRPERSON

Vice Chair Klinker called the meeting to order at 7:00 P.M.

II SWEARING IN OF NEW BOARD MEMBERS

Board Members Larson and Hicks were sworn in by City Clerk Davidson.

III ELECTION OF OFFICERS

Board Member Hicks moved to nominate Vice Chair Klinker as Chair of the Board of Adjustment and Appeals. Board Member Bailey seconded the motion. Vice Chair Klinker called for additional nominations. There were none.

Roll call vote yes: Pickett, Bailey, Hicks, Larson.

Roll call vote no: None. Klinker abstained from voting. Motion carried.

Chair Klinker moved to nominate Board Member Pickett as Vice Chair to the Board of Adjustments and Appeals. Board Member Hicks seconded the motion. Chair Klinker called for additional nominations. There were none.

Roll call vote yes: Klinker, Bailey, Hicks, Larson.

Roll call vote no: None. Pickett abstained from voting. Motion carried.

IV CONSIDERATION OF MINUTES

A. APRIL 16, 2003

Board Member Bailey moved to approve the minutes of November 20, 2002 as corrected.

Board Member Hicks seconded the motion.

Roll call vote yes: Bailey, Hicks, Larson, Pickett, Klinker.

Roll call vote no: None. Motion carried.

V UNSCHEDULED CITIZENS

None.

VI AMENDMENTS TO AGENDA

None.

VII MATTHEW MALICK, VA 03-1

A. OPEN PUBLIC HEARING AT 7:12 P.M.

B. PROOF OF PUBLICATION

Stawowy presented an affidavit of publication dated July 24, 2003.

C. REVIEW OF APPLICATION

Hannon reviewed the variance application process. The applicant is Matthew Malick located at 316 S. Colorado Street, Gunnison, Colorado. The request is for a variance from the 10 foot side setback, in order to expand a home.

D. APPLICANT'S PRESENTATION

Mr. Malick introduced himself to the Board Members. He stated that he has owned the property for a year. He gave a brief history of the property. He stated that he wanted to bring the property up to code. The single family dwelling located on the property is 716 square feet. He wants to increase the square footage of the home in order to meet the dimensional standard of the R-1 zoning district, which is 1,000 square feet. He will accomplish this with adding onto the home. First, he will add a 5 feet by 13 feet addition to the front bedroom. Mr. Malick showed the Board his plan for the addition. He then gave the plans to Stawowy, which were entered into the record as exhibit C. Board Member Hicks asked Mr. Malick if he anticipated additional remodeling. Mr. Malick stated that he is currently remodeling the garage and in the future, he plans on remodeling the kitchen.

E. PUBLIC INPUT

There was none.

F. STAFF REPORT

Hannon reviewed the Staff report dated August 15, 2003. Based on observations and findings, Staff recommends approval of VA 03-1, Matthew Malick, with the following condition.

! Should the applicant not pull a building permit for the subject property within one year, the approval shall expire.

G. BOARD DISCUSSION

Board Member Bailey stated that the improvements the applicants plans on making to the

property would be beneficial to the neighborhood. There was no further discussion from the Board.

H. CLOSE PUBLIC HEARING AT 7:30 P.M.

I. BOARD ACTION

Board Member Hicks moved to approve the amended application VA 03-1, Matthew Malick based on the following required showings:

- ! That special circumstances exist.
- ! That the application is not a result of the applicant.
- ! That strict application deprives reasonable use.
- ! That a variance is necessary to provide reasonable use of the property.
- ! That the applicant has requested the minimum variance.
- ! That the variance is not injurious to the neighborhood.
- ! That the application is consistent with the City of Gunnison Land Development Code.

Therefore, the following condition shall apply:

1. The applicant must apply for a building permit within one year, or the approval will expire.

Board Member Bailey seconded the motion.

Roll call vote yes: Hicks, Larson, Pickett, Klinker, Bailey.

Roll call vote no: None. Motion carried.

VIII NEW BUSINESS

Stawowy informed the Board that they will meet September 17, 2003. Hannon invited the Board to the City picnic, September 8, 2003.

IX BOARD MEMBER COMMENTS

Chair Klinker welcomed Board Member Larson to the Board.

X. ADJOURN AT 7:35 P.M.